EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BEARBOX LLC and AUSTIN STORMS, Plaintiffs, v. LANCIUM LLC, MICHAEL T. MCNAMARA, and RAYMOND E. CLINE, JR. Defendants.	)	C.A. No. 21-534-MN-CJB **HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY**

PLAINTIFFS' SUPPLEMENTAL OBJECTIONS AND RESPONSES TO DEFENDANTS' FIRST SET OF INTERROGATORIES (NOS. 1-9)

Pursuant to Rules 33 and 26 of the Federal Rules of Civil Procedure, Plaintiffs, Bearbox LLC and Austin Storms (collectively, "Plaintiffs"), hereby supplement its Responses and Objections to the first set of interrogatories (Nos. 1-9) from Defendants, as follows:

PRELIMINARY STATEMENT

Plaintiffs' supplemental answers to Defendants' First Set of Interrogatories are made to the best of Plaintiffs' present knowledge, information and belief. Plaintiffs expressly reserve its right to supplement and amend these answers, in accordance with applicable rules, to incorporate further information and documents and to offer such further information and documents at any trial or hearing in this case.

Plaintiffs makes the supplemental objections and answers set forth below without waiving: (1) the right to object to the use of any answer, document or thing for any purpose in this action or any other actions on grounds of privilege, relevancy, materiality, or any other appropriate basis; (2) the right to object to any other discovery request involving or relating to the subject matter of the responses herein and any documents or things produced by Plaintiffs; (3) the right to revise, correct, supplement, or clarify any of the responses provided below at any

time; and (4) the right to seek a protective order with respect to discovery directed to damages.

GENERAL OBJECTIONS

1. Plaintiffs objects to each interrogatory, and to each definition and instruction, to the extent that it calls for the disclosure of information that is protected by the attorney-client privilege, the work-product doctrine, Fed. R. Civ. P. 26(b)(3), or any other applicable law, rule, privilege, or immunity.

2. Plaintiffs object to each interrogatory, and to each definition and instruction, to the extent that it calls for the disclosure of information referring or relating to methods and/or products, especially future methods and products, that are not the subject matter of any claim or defense in this case on the ground that such information is not relevant, would not reasonably lead to the discovery of admissible evidence, and would unduly risk competitive injury to Defendant.

3. Plaintiffs object to each interrogatory, and to each definition and instruction, to the extent that it imposes obligations beyond or inconsistent with the requirements of the Federal Rules of Civil Procedure, the Local Rules of this Court, orders entered by the Court in this case, or any other applicable orders entered by the Court.

4. Plaintiffs object to each interrogatory, and to each definition and instruction, to the extent that it seeks to combine in a single interrogatory what otherwise should be asked in separate interrogatories. Plaintiffs object to the extent that these compound interrogatories exceed or will contribute to the exceeding of the numeric limits established in this Court's Scheduling Order. Plaintiffs deem the service of these interrogatories to constitute an admission by Defendant that they will not object to the number and/or numbering of interrogatories of a similar compound nature, if served by Plaintiffs.

5. These responses are made solely for the purpose of this action. Each response is subject to all objections as to competence, relevance, materiality, propriety, inadmissibility, and any and all other objections and grounds that would require the exclusion of any statement herein if the questions were asked, or any statements contained herein were made by a witness present and testifying in court, all of which objections and grounds are reserved and may be interposed at the time of trial.

6. The fact that Plaintiffs have answered any interrogatory herein should not be taken as an admission that Plaintiffs accept or admit the existence of any facts set forth or assumed by such interrogatory, or that such response constitutes admissible evidence. The fact that Plaintiffs have answered part of, or all of, any question is not intended and shall not be construed to be a waiver by Defendant of all or any part of any objection to any interrogatory herein.

7. Plaintiffs object to the definition of "Bearbox," "Austin Storms," "Plaintiffs," "You" or "Your" to the extent the definition of any of these terms would require Plaintiffs to search for and produce any document or information that is not within their possession, custody, or control.

8. Plaintiffs object to the definition of "BearBox Technology" as "the cryptocurrency mining system described in paragraph 2 of Plaintiffs' Complaint." Plaintiffs have replaced their Complaint with the First Amended Complaint, filed May 24, 2021, making Defendants' definition improper. To the extent Defendants are referring to paragraph 2 of Plaintiffs' First Amended Complaint, that is also inappropriate, overly vague, mischaracterizes the record, and frustrates the discovery process. Plaintiffs' statements in paragraph 2 of the First Amended Complaint are qualified as "general" summary statements related to the BearBox

Technology meant to be informative as part of the pleading process. In addition, many other paragraphs of the First Amended Complaint further describe the BearBox Technology, including paragraph 4, which states that "[t]he claimed subject matter of the '433 Patent falls fully within the scope of the BearBox Technology." For purposes of responding to these interrogatories, Plaintiffs will treat the term BearBox Technology to at least refer to any technology that is claimed in the '433 Patent.

9. Plaintiffs object to each interrogatory to the extent it seeks information subject to a confidentiality obligation due to a third party and/or disclosure of such information would be subject to governmental or other regulation.

10. Plaintiffs object to each interrogatory to the extent the interrogatory calls for interpretation of terms that have not yet been construed.

11. Plaintiffs object to each interrogatory to the extent that it requires disclosure of confidential, trade secret, or other proprietary information prior to entry of a suitable protective order.

12. These General Objections are incorporated into each specific response below as if they were fully repeated therein. Neither the inclusion of any Specific Objection in response to an interrogatory nor the failure to include any General Objection or Specific Objection in response to an interrogatory shall in any way be deemed as a waiver of any General Objection made herein or that may be asserted at another date. Defendant's response to any interrogatory is not, and shall not be construed as, an admission of the relevance or admissibility into evidence of such response or of the propriety of any of Plaintiff's interrogatories.

SUPPLEMENTAL OBJECTIONS AND RESPONSES TO INTERROGATORIES

Interrogatory No. 1:

Describe with particularity all aspects of the BearBox Technology, including in your response each aspect of the BearBox Technology allegedly conveyed to any Defendant and the date of transmittal, manner of transmittal (email, text, other writing, verbal conversation, etc.), and alleged recipient at Lancium of each aspect of any BearBox Technology.

ANSWER:

Plaintiffs incorporate their General Objection related to Defendants' definition of BearBox Technology, which is incorrect. Plaintiffs object to Interrogatory No. 1 as vague and ambiguous, at least with respect to the phrases "with particularity," "all aspects," and "each aspect." Plaintiffs further object to Interrogatory No. 1 as overbroad, to the extent it asks for information regarding technology developed by the Plaintiffs that is not subject matter claimed in the '433 Patent.

Subject to these objections and their General Objections, Plaintiffs identify as technology developed by the Plaintiffs the descriptions in paragraphs 31-35 of the First Amended Complaint, including all documents and communications referenced in those paragraphs, which Defendants have in their possession, and Plaintiffs will further produce in this case. Plaintiffs further respond that the BearBox Technology encompasses at least the purported inventions claimed in the '433 Patent. Plaintiffs further respond that Austin Storms verbally communicated to Michael McNamara details regarding power option agreements, real-time pricing for cryptocurrencies and electricity, and how to use these and other variables to arrive at the technology claimed in the '433 Patent. Plaintiffs further respond that they will produce non-privileged documents responding to Interrogatory No. 1, and according to Fed. R. Civ. P. 33(d) that are within their possession, custody, or control to the extent that such documents exist in the ordinary course of business.

SUPPLEMENTAL ANSWER:

Subject to the foregoing, Plaintiffs further responds that Austin Storms verbally communicated to Michael McNamara details regarding power purchase agreements, power option agreements, real-time pricing for cryptocurrency mining and power, and how to use these and other variables to arrive at the technology claimed in the '433 Patent. Those details verbally communicated by Mr. Storms included describing different types of power purchase agreements and power option agreements, such as fixed and dynamic, and describing system operators like the Electric Reliability Council of Texas ("ERCOT"), the Midcontinent Independent System Operation ("MISO"), and the Southwest Power Pool ("SPP") with respect to participating in the wholesale electricity markets and other programs, as well as the contents and conditions of power purchase agreements and power option agreements, such as variables like time intervals, minimum power thresholds, power pricing, and interrelationships between such variables, such as the dynamic participation in energy markets, including, inter alia, day-ahead and real-time markets. Mr. Storms also explained, as an exemplary benefit, how his technologies enabled the miners to capitalize on less expensive, abundant electricity from non-dispatchable generation sources while allowing load-shedding and diverting power for economic dispatch during periods of energy scarcity. Mr. Storms also described identifying variables like expected or target power consumption within different time intervals, including proprietary hardware and software integrations that allow for fine-grain load control, and power system conditions and market conditions, and developing performance strategies based on power purchase agreements, power option agreements, and their contents, the use of power acquired through power purchase agreements and power option agreements to implement such strategies to meet expected or target consumption that may include conditional operation of computing systems, or determining

particular configurations or modes of computing systems with, for example, an increase or decrease of operational hardware parameters to adjust the efficiency of a cryptocurrency mining computer or multiple computers. Mr. Storms also verbally described how a QSE would communicate with ISOs like ERCOT to evaluate and offer to sell/bid power and evaluating the terms of those agreements against expected computational requirements. This case is in the early stages of discovery and, as such, Plaintiffs reserve their rights to further supplement this Answer as the case proceeds.

SECOND SUPPLEMENTAL ANSWER:

Subject to the foregoing, Plaintiff further responds that Storms orally communicated the details outlined above to McNamara on or about May 3, 2019, and further communicated this information to McNamara via text and email messages continuing through May 9, 2019. Plaintiff also states that documents produced that are responsive to this request include BB00000090 – BB00000097. These documents identified by Plaintiff include .CSV files, annotated system diagrams showing performance strategy logic based on monitored conditions and energy pricing parameters, information describing the system's hardware components and an email regarding the same. Additionally, the source code files listed in the Appendix hereto (BB_SC00000001-67) are responsive to this request and are available to Defendants for inspection.

Interrogatory No. 2:

Describe with particularity the conception, reduction to practice, and development of the BearBox Technology, including in your response the timing of these events and an identification of any documents or other corroborating evidence.

ANSWER:

Plaintiffs incorporate their General Objection related to Defendants' definition of BearBox Technology, which is incorrect. Plaintiffs object to Interrogatory No. 1 as vague and

ambiguous, at least with respect to the phrases "with particularity," and "any documents." Plaintiffs further object to Interrogatory No. 2 as overbroad, to the extent it asks for information regarding technology developed by the Plaintiffs that is not subject matter claimed in the '433 Patent.

Subject to these objections and their General Objections, Plaintiffs will produce non-privileged documents, including correspondence, data, diagrams, algorithms, notes, and source code, including timing reflected on such documents, and corresponding metadata with such documents that includes timing, sufficient to respond to Interrogatory No. 2, and according to Fed. R. Civ. P. 33(d) that are within their possession, custody, or control to the extent that such documents exist in the ordinary course of business.

SUPPLEMENTAL ANSWER:

Subject to the foregoing, Plaintiffs further respond that Mr. Austin Storms conceived of and developed his technology in approximately late 2018 to early 2019, as noted in paragraph 27 of the First Amended Complaint. Mr. Austin Storms reduced to practice that technology over approximately that same time period, up through April 2019. Specifically, in November 2018, Mr. Storms shared his idea of cryptocurrency mining as load-as-a-service (LaaS), under conditions of confidentiality, with Ben Hakes to potentially increase economic returns for an underutilized wind farm in the Southwest Power Pool via a behind-the-meter power purchase agreement. From December through April 2019, Mr. Storms worked on a design of a containerized mining solution at a research and development facility in Louisiana and developed a proprietary remotely switched power distribution unit that was programmed to control AC electrical circuits. In that embodiment, cryptocurrency miners are powered on/off by triggering low-voltage electromechanical relays that correspond to the IP address of specific

cryptocurrency mining computers within a database table configuration.

In parallel, Mr. Storms developed a Python-based model for determining performance strategies based on monitored energy pricing and power availability data as well as cryptocurrency pricing and other related data. In one specific embodiment, each pricing node within the SPP and its location marginal pricing ("LMP") for both the day-ahead and real-time markets was compared to the dynamically calculated economics of mining cryptocurrencies at that node under various conditions. In various implementations, the system may provide an option to economically dispatch (i.e. sell) power back into the grid under scarcity or undersupply conditions (or any other conditions). In one example, the system was configured to utilize a mining operation as an interruptible or controllable load resource by participating in the wholesale markets and various programs directly. In this embodiment, and depending on the specifically desired performance strategy, the system may bid load and receive a schedule to draw load up to a dynamically calculated $/MWh breakeven price of mining cryptocurrencies and/or shed load when the wholesale markets reach or exceed that price level during that time interval.

Additionally, the hardware and software integration developed by Mr. Storms could be used for fine-grain load control or true LaaS (referred to as CLR or LaaR within ERCOT) to provide operating reserves in the ancillary services market and address a variety of issues arising from the relationship between power supply and demand. In one example, the system's mining operation may act as a virtual power plant, ramping up or down to assist grid operators and generators in maintaining a target grid frequency more quickly than dispatchable generation sources while also solving some of the problems caused by non-dispatchable, intermittent generation sources and their curtailment due to line congestion in oversupply conditions.

SECOND SUPPLEMENTAL ANSWER:

Subject to the foregoing, Plaintiffs further respond that Mr. Austin Storms conceived of and developed his technology in approximately late 2018 to early 2019, as noted in paragraph 27 of the First Amended Complaint. *See, e.g.*, BB00000001-20. Mr. Austin Storms reduced to practice that technology over approximately that same time period, up through April 2019. *See, e.g.*, BB000000021-72. Specifically, in November 2018, Mr. Storms shared his idea of cryptocurrency mining as load-as-a-service (LaaS), under conditions of confidentiality, with Ben Hakes to potentially increase economic returns for an underutilized wind farm in the Southwest Power Pool via a behind-the-meter power purchase agreement. From December 2018 through April 2019, Mr. Storms worked on a design of a containerized mining solution in Louisiana and developed a proprietary remotely switched power distribution unit that was programmed to control AC electrical circuits. *See, e.g.*, BB00000001-72. In that embodiment, cryptocurrency miners are powered on/off by triggering low-voltage electromechanical relays that correspond to the IP address of specific cryptocurrency mining computers within a database table configuration. *Id*.

In parallel, Mr. Storms developed a Python-based model for determining performance strategies based on monitored energy pricing and power availability data as well as cryptocurrency pricing and other related data. In one specific embodiment, each pricing node within the SPP and its location marginal pricing ("LMP") for both the day-ahead and real-time markets was compared to the dynamically calculated economics of mining cryptocurrencies at that node under various conditions. In various implementations, the system may provide an option to economically dispatch (e.g. sell) power back into the grid under scarcity or undersupply conditions (or any other conditions). In one example, the system was configured to utilize a

mining operation as an interruptible or controllable load resource ("CLR") by participating in the wholesale markets and various programs directly. In this embodiment, and depending on the specifically desired performance strategy, the system may bid load and receive a schedule to draw load up to a dynamically calculated $/MWh breakeven price of mining cryptocurrencies and/or shed load when the wholesale markets reach or exceed that price level during that time interval. *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); see also BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). Additionally, the hardware and software integration developed by Mr. Storms could be used for fine-grain load control or true LaaS (referred to as CLR or LaaR within ERCOT) to provide operating reserves in the ancillary services market and address a variety of issues arising from the relationship between power supply and demand. In one example, the system's mining operation may act as a virtual power plant, ramping load up or down to assist grid operators and generators in maintaining a target grid frequency more quickly than dispatchable generation sources while also solving some of the problems caused by non-dispatchable, intermittent generation sources and their curtailment due to line congestion in oversupply conditions. One or more of these concepts developed by Mr. Storms and conveyed to Lancium are described and/or claimed in subsequent Lancium continuation applications, that have issued or are pending, claiming priority to the applications that matured into the '433 Patent, such as U.S. Patent Nos. 11,016,458 and 11,031,783.

Subject to the foregoing, Plaintiff further responds that documents produced that are responsive to this request include, but are not limited to, BB00000001 – BB00000038 and

BB00000040 – BB00000097. These documents identified by Plaintiff include interface screenshots, photographs of whiteboard notes, logic, and calculations, photographs of system hardware, mining profitability spreadsheets, .CSV files, system diagrams, and emails regarding the same. Additionally, the source code files listed in the Appendix hereto (BB_SC00000001-67) are responsive to this request and are available to Defendants for inspection.

Interrogatory No. 3:

For each claim of the '433 patent, state with particularity how each element of the claimed subject matter "falls fully within the scope of the BearBox Technology," as alleged in paragraph 4 of your Amended Complaint.

ANSWER:

Plaintiffs incorporate their General Objection related to Defendants' definition of BearBox Technology, which is incorrect. Plaintiffs object to Interrogatory No. 3 as vague and ambiguous, at least with respect to the phrase "with particularity." Plaintiffs further object to Interrogatory No. 3 as overbroad, to the extent it asks for information regarding technology developed by the Plaintiffs that is not subject matter claimed in the '433 Patent

Subject to these objections and their General Objections, Plaintiffs respond as set forth in the chart below. Plaintiffs also will produce non-privileged documents, including correspondence, data, diagrams, algorithms, notes, and source code, sufficient to respond to Interrogatory No. 3, and according to Fed. R. Civ. P. 33(d), that are within their possession, custody, or control to the extent that such documents exist in the ordinary course of business. Mr. Storm's testimony also will corroborate this information.

U.S. Patent No. 10,608,433	Plaintiffs' Technology
1. A system comprising: a set of computing systems, wherein the set of computing systems is configured to perform computational operations using power from a power grid;	Austin Storms conceived of and developed technology that includes a system comprising a set of computing systems, wherein the set of computing systems is configured to perform

	computational operations using power from a power grid.
a control system configured to: monitor a set of conditions;	Austin Storms conceived of and developed technology that includes a control system configured to monitor a set of conditions including at least real-time balancing market rate (RTBM) and day-ahead locational marginal pricing (DA LMP).
receive power option data based, at least in part, on a power option agreement, wherein the power option data specify: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals;	Austin Storms conceived of and developed technology that includes receiving power option data based, at least in part, on a power option agreement, wherein the power option data specifies: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals.
responsive to receiving the power option data, determine a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval; and	Austin Storms conceived of and developed technology that determines, responsive to receiving the power option data, a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval.
provide instructions to the set of computing systems to perform one or more computational operations based on the performance strategy.	Austin Storms conceived of and developed technology that includes providing instructions to the set of computing systems to perform one or more computational operations based on

	the performance strategy, such as instructing miners to mine bitcoin.
2. The system of claim 1, wherein the control system is configured to monitor the set of conditions comprising:	
a price of power from the power grid; and	Austin Storms conceived of and developed technology that includes a control system configured to monitor a price of power from the power grid, such as least day-ahead and real-time power pricing.
a plurality of parameters associated with one or more computational operations to be performed at the set of computing systems.	Austin Storms conceived of and developed technology that includes a control system configured to monitor a plurality of parameters associated with one or more computational operations to be performed at the set of computing systems, such as at least real-time Bitcoin-US Dollar exchange rate, Bitcoin network difficulty, and estimated Bitcoin network hashrate.
3. The system of claim 2, wherein the control system is configured to:	
determine the performance strategy for the set of computing systems based on a combination of at least the portion option data, the price of power from the power grid, and the plurality of parameters associated with the one or more computational operations.	Austin Storms conceived of and developed technology that determine the performance strategy for the set of computing systems based on a combination of at least the portion option data, the price of power from the power grid, and the plurality of parameters associated with the one or more computational operations, as shown in the descriptions above for claims 1 and 2.
4. The system of claim 3, wherein the performance strategy further comprises:	
an order for the set of computing systems to follow when performing the one or more computational operations, wherein the order is based on respective priorities associated with the one or more computational operations.	Austin Storms conceived of and developed technology that includes a performance strategy that includes an order for the set of computing systems to follow when performing the one or more computational operations, wherein the order is based on respective priorities

	associated with the one or more computational operations.
5. The system of claim 4, wherein the performance strategy further comprises:	
at least one power consumption target that is greater than a minimum power threshold when the price of power from the power grid is below a threshold price during the time interval associated with the minimum power threshold.	Austin Storms conceived of and/or developed technology that includes a performance that includes at least one power consumption target that is greater than a minimum power threshold when the price of power from the power grid is below a threshold price during the time interval associated with the minimum power threshold.
6. The system of claim 1, wherein the control system is further configured to:	
receive subsequent power option data based, at least in part, on the power option agreement, wherein the subsequent power option data specify to decrease one or more minimum power thresholds of the set of minimum power thresholds.	Austin Storms conceived of and developed technology that includes a control system configured to receive subsequent power option data based, at least in part, on the power option agreement, wherein the subsequent power option data specify to decrease one or more minimum power thresholds of the set of minimum power thresholds.
7. The system of claim 6, wherein the control system is further configured to:	
responsive to receiving the subsequent power option data, modify the performance strategy for the set of computing systems based on a combination of at least the portion of the subsequent power option data and at least one condition in the set of conditions, wherein the modified performance strategy comprises one or more reduced power consumption targets for the set of computing systems.	Austin Storms conceived of and developed technology that includes a control system that is configured to responsive to receiving the subsequent power option data, modify the performance strategy for the set of computing systems based on a combination of at least the portion of the subsequent power option data and at least one condition in the set of conditions, wherein the modified performance strategy comprises one or more reduced power consumption targets for the set of computing systems.

8. The system of claim 7, wherein the control system is further configured to:	
provide instructions to the set of computing systems to perform the one or more computational operations based on the modified performance strategy.	Austin Storms conceived of and developed technology that includes a control system configured to provide instructions to the set of computing systems to perform the one or more computational operations based on the modified performance strategy.
9. The system of claim 1, wherein the control system is a remote master control system positioned remotely from the set of computing systems.	Austin Storms conceived of and/or developed technology that includes a control system that is a remote master control system positioned remotely from the set of computing systems.
10. The system of claim 1, wherein the control system is a mobile computing device.	Austin Storms conceived of and/or developed technology that includes a control system that is a mobile computing device.
11. The system of claim 1, wherein the control system is configured to receive the power option data while monitoring the set of conditions.	Austin Storms conceived of and/or developed technology that includes a control system that is configured to receive the power option data while monitoring the set of conditions.
12. The system of claim 1, wherein the control system is further configured to:	
provide a request to a qualified scheduling entity (QSE) to determine the power option agreement; and	Austin Storms conceived of and/or developed technology that includes a control system that is configured to provide a request to a qualified scheduling entity (QSE) to determine the power option agreement.
receive power option data in response to providing the request to the QSE.	Austin Storms conceived of and/or developed technology that includes a control system that is configured to receive power option data in response to providing the request to the QSE
13. The system of claim 1, wherein the power option data specify: (i) a first minimum power threshold associated with a first time interval in the set of time intervals, and (ii) a second minimum power threshold associated with a second	Austin Storms conceived of and/or developed technology that includes power option data that specifies: (i) a first minimum power threshold associated with a first time interval in the set of time intervals, and (ii) a second minimum

time interval in the set of time intervals, wherein the second time interval is subsequent to the first time interval	power threshold associated with a second time interval in the set of time intervals, wherein the second time interval is subsequent to the first time interval
14. The system of claim 13, wherein the control system is configured to:	
determine the performance strategy for the set of computing systems such that the performance strategy comprises: a first power consumption target for the set of computing systems for the first time interval, wherein the first power consumption target is equal to or greater than the first minimum power threshold; and a second power consumption target for the set of computing systems for the second time interval, wherein the second power consumption target is equal to or greater than the second minimum power threshold.	Austin Storms conceived of and/or developed technology that includes a control system that is configured to determine the performance strategy for the set of computing systems such that the performance strategy comprises: a first power consumption target for the set of computing systems for the first time interval, wherein the first power consumption target is equal to or greater than the first minimum power threshold and a second power consumption target for the set of computing systems for the second time interval, wherein the second power consumption target is equal to or greater than the second minimum power threshold.
15. The system of claim 1, wherein a total duration of the set of time intervals corresponds to a twenty-four hour period.	Austin Storms conceived of and/or developed technology that includes calculations performed such that a total duration of the set of time intervals corresponds to a twenty-four hour period.
16. The system of claim 1, wherein the set of conditions monitored by the control system further comprise:	
a price of power from the power grid; and a global mining hash rate and a price for a cryptocurrency; and	Austin Storms conceived of and developed technology that includes a control system that monitors a price of power from the power grid, a global mining hash rate and a price for a cryptocurrency.

wherein the control system is configured to: determine the performance strategy for the set of computing systems based on a combination of at the portion of the power option data, the price of power from the power grid, the global mining hash rate and the price for the cryptocurrency, wherein the performance strategy specifies for at least a subset of the set of computing systems to perform mining operations for the cryptocurrency when the price of power from the power grid is equal to or less than a revenue obtained by performing the mining operations for the cryptocurrency.	Austin Storms conceived of and/or developed technology that includes a control system configured to determine the performance strategy for the set of computing systems based on a combination of at the portion of the power option data, the price of power from the power grid, the global mining hash rate and the price for the cryptocurrency, wherein the performance strategy specifies for at least a subset of the set of computing systems to perform mining operations for the cryptocurrency when the price of power from the power grid is equal to or less than a revenue obtained by performing the mining operations for the cryptocurrency.
17. A method comprising:	
monitoring, by a computing system, a set of conditions;	Austin Storms conceived of and developed technology that includes a method in which a computing system monitors a set of conditions.
receiving, at the computing system, power option data based, at least in part, on a power option agreement, wherein the power option data specify: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals;	Austin Storms conceived of and developed technology that includes a method in which the computing system receives power option data based, at least in part, on a power option agreement, wherein the power option data specify: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals.
responsive to receiving the power option data, determining a performance strategy for a set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval	Austin Storms conceived of and developed technology that determines, responsive to receiving the power option data, a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a

in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval; and	power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval.
providing instructions to the set of computing systems to perform one or more computational operations based on the performance strategy.	Austin Storms conceived of and/or developed technology that includes providing instructions to the set of computing systems to perform one or more computational operations based on the performance strategy, such as instructing miners to mine bitcoin.
18. The method of claim 17, wherein determining the performance strategy for the set of computing systems comprises:	
identifying information about the set of computing systems; and	Austin Storms conceived of and/or developed technology that includes a method including identifying information about the set of computing systems.
determining the performance strategy to further comprise instructions for at least a subset of the set of computing systems to operate at an increased frequency based on a combination of at least the portion of the power option data and the information about the set of computing systems.	Austin Storms conceived of and/or developed technology that includes a method including determining the performance strategy to further comprise instructions for at least a subset of the set of computing systems to operate at an increased frequency based on a combination of at least the portion of the power option data and the information about the set of computing systems.
19. The method of claim 17, further comprising:	
receiving subsequent power option data based, at least in part, on the power option agreement, wherein the subsequent power option data specify to decrease one or more minimum power thresholds of the set of minimum power thresholds;	Austin Storms conceived of and/or developed technology that includes a method including receiving subsequent power option data based, at least in part, on the power option agreement, wherein the subsequent power option data specify to decrease one or more minimum power thresholds of the set of minimum power thresholds.

responsive to receiving the subsequent power option data, modifying the performance strategy for the set of computing systems based on a combination of at least the portion of the subsequent power option data and at least one condition in the set of conditions, wherein the modified performance strategy comprises one or more reduced power consumption targets for the set of computing systems; and providing instructions to the set of computing systems to perform the one or more computational operations based on the modified performance strategy.	Austin Storms conceived of and/or developed technology that includes a method including, responsive to receiving the subsequent power option data, modifying the performance strategy for the set of computing systems based on a combination of at least the portion of the subsequent power option data and at least one condition in the set of conditions, wherein the modified performance strategy comprises one or more reduced power consumption targets for the set of computing systems; and providing instructions to the set of computing systems to perform the one or more computational operations based on the modified performance strategy.
20. A non-transitory computer readable medium having stored therein instructions executable by one or more processors to cause a computing system to perform functions comprising:	
monitoring a set of conditions;	Austin Storms conceived of and developed technology includes a computer system that monitors a set of conditions.
receiving power option data based, at least in part, on a power option agreement, wherein the power option data specify: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals;	Austin Storms conceived of and/or developed technology that includes receiving power option data based, at least in part, on a power option agreement, wherein the power option data specify: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals.

responsive to receiving the power option data, determining a performance strategy for a set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval; and	Austin Storms conceived of and/or developed technology that includes, responsive to receiving the power option data, determining a performance strategy for a set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval.
providing instructions to the set of computing systems to perform one or more computational operations based on the performance strategy.	Austin Storms conceived of and/or developed technology that includes providing instructions to the set of computing systems to perform one or more computational operations based on the performance strategy.

SUPPLEMENTAL ANSWER:

Subject to the foregoing, Plaintiff further responds that documents produced that are responsive to this request include, but are not limited to, BB00000001 – BB00000038 and BB00000040 – BB00000097. These documents identified by Plaintiff include interface screenshots, photographs of whiteboard notes, logic, and calculations, photographs of system hardware, mining profitability spreadsheets, .CSV files, system diagrams, and emails regarding the same. Additionally, the source code files listed in the Appendix hereto (BB_SC00000001-67) are responsive to this request and are available to Defendants for inspection.

U.S. Patent No. 10,608,433	Plaintiffs' Technology
1. A system comprising: a set of computing systems, wherein the set of computing systems is configured to	Austin Storms conceived of and developed technology that includes a system comprising a set of computing systems, wherein the set of computing

perform computational operations using power from a power grid;	systems is configured to perform computational operations using power from a power grid. *See, e.g.*, BB00000001-38, 40-97 (showing computing systems through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic). For example, Mr. Storms developed software that constitutes a control system configured to perform computational operations using power from a power grid. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000001-67. These source code files specifically reflect that Mr. Storms developed software that controls a set of computing systems configured to perform computational operations using power for a power grid, such as a set of miners to perform calculations to mine bitcoin. As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
a control system configured to: monitor a set of conditions;	Austin Storms conceived of and developed technology that includes a control system configured to monitor a set of conditions including at least real-time balancing market rate (RTBM) and day-ahead locational marginal pricing (DA LMP). *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); see also BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). For example, Mr. Storms developed software that constitutes a control system configured to monitor a set of conditions.

	Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000001-8, 11-40, 42, 45-67. These source code files specifically reflect that Mr. Storms developed software to monitor a set of conditions including the price of bitcoin, bitcoin hashrate, network difficulty, energy pricing and the like. As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
receive power option data based, at least in part, on a power option agreement, wherein the power option data specify: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals;	Austin Storms conceived of and developed technology that includes receiving power option data based, at least in part, on a power option agreement, wherein the power option data specifies: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals. For example, Mr. Storms' system used multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); see also BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily

	developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that constitutes a control system configured to use multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-43. These source code files specifically reflect that Mr. Storms developed software that used multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019. In addition, this arrangement and set of data is dictated by the structure of a power option agreement, using a known, standard data format by which a QSE or other entity would send instructions (e.g.

	"1.2 MW from 0100-0200, 1.5 MW from 0200-0300, etc"). This aspect also is present in Mr. Storm's system via its fine grain load control aspects, described above.
responsive to receiving the power option data, determine a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval; and	Austin Storms conceived of and developed technology that determines, responsive to receiving the power option data, a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval. For example, Mr. Storms' system used multiple time intervals, including real-time as well as 5-minute and hourly, 24-hour day-ahead intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies in negotiating power purchasing arrangements with authorized entities. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that determines a performance strategy for the set of computing systems based on a combination of at least a

	portion of the power option data and at least one condition in the set of conditions. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that determines a performance strategy for multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically (i.e. every five minutes) determining performance strategies (such as strategies to mine Bitcoin and/or at what capacity, strategies to not mine Bitcoin, strategies to sell power to the grid, and the like), and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
provide instructions to the set of computing systems to perform one or more computational operations based on the performance strategy.	Austin Storms conceived of and developed technology that includes providing instructions to the set of computing systems to perform one or more computational operations based on the performance strategy, such as instructing miners to mine bitcoin, instructing the miners to stop mining bitcoin, effecting a sale or other release of the energy to the grid, or other. *See, e.g.*, BB00000001-38, 40-97 (showing computing systems through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic). The systems also provided for fine grain load control (*i.e.* dynamically

	reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that provides instructions to the set of computing systems to perform one or more computational operations based on the performance strategy. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that provided instructions to the set of computing systems to perform one or more computational operations based multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities) . As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
2. The system of claim 1, wherein the control system is configured to monitor the set of conditions comprising:	
a price of power from the power grid; and	Austin Storms conceived of and developed technology that includes a control system configured to monitor a price of power from the power grid, such as least day-ahead and real-time power pricing. *See, e.g.*, BB00000019-20, 29-34,

	40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). For example, Mr. Storms developed software that monitors a price of power from the power grid, such as at least day-ahead and real-time power pricing. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that monitors a price of power from the power grid, such as least day-ahead and real-time power pricing. *Id*. As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
a plurality of parameters associated with one or more computational operations to be performed at the set of computing systems.	Austin Storms conceived of and developed technology that includes a control system configured to monitor a plurality of parameters associated with one or more computational operations to be performed at the set of computing systems, such as at least real-time Bitcoin-US Dollar exchange rate, Bitcoin network difficulty, and estimated Bitcoin network hashrate. *See*, *e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). For example, Mr. Storms developed software that monitors a plurality of parameters associated with one or more computational operations to be performed at the set of computing systems, such as at least real-time Bitcoin-US Dollar exchange rate, Bitcoin network difficulty, and estimated Bitcoin network hashrate. Examples of this source code include the

	source code files available for inspection bearing production numbers BB_SC00000001, 4-5, 7-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that monitors a plurality of parameters associated with one or more computational operations to be performed at the set of computing systems. *Id*. As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
3. The system of claim 2, wherein the control system is configured to:	
determine the performance strategy for the set of computing systems based on a combination of at least the portion option data, the price of power from the power grid, and the plurality of parameters associated with the one or more computational operations.	Austin Storms conceived of and developed technology that determine the performance strategy for the set of computing systems based on a combination of at least the portion option data, the price of power from the power grid, and the plurality of parameters associated with the one or more computational operations, as shown in the descriptions above for claims 1 and 2. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). For example, Mr. Storms developed software that determines a performance strategy for the set of computing systems based on a combination of at least the portion option data, the price of power from the power grid, and the plurality of parameters associated with the one or more computational operations. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that determines a performance strategy at least

	the portion option data, the price of power from the power grid, and the plurality of parameters associated with the one or more computational operations. *Id*. As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
4. The system of claim 3, wherein the performance strategy further comprises:	
an order for the set of computing systems to follow when performing the one or more computational operations, wherein the order is based on respective priorities associated with the one or more computational operations.	Austin Storms conceived of and developed technology that includes a performance strategy that includes an order for the set of computing systems to follow when performing the one or more computational operations, wherein the order is based on respective priorities associated with the one or more computational operations. *See, e.g.,* BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). For example, Mr. Storms developed software that determines a performance strategy for the set of computing systems based on a combination of at least the portion option data, the price of power from the power grid, and the plurality of parameters associated with the one or more computational operations. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that determines a performance strategy based on at least the portion option data, the price of power from the power grid, and the plurality of parameters associated with the one or more computational operations. *Id*. As reflected in the metadata of the

	source code, Mr. Storms developed this software no later than April 29, 2019.
5. The system of claim 4, wherein the performance strategy further comprises:	
at least one power consumption target that is greater than a minimum power threshold when the price of power from the power grid is below a threshold price during the time interval associated with the minimum power threshold.	Austin Storms conceived of and/or developed technology that includes a performance strategy that includes at least one power consumption target that is greater than a minimum power threshold when the price of power from the power grid is below a threshold price during the time interval associated with the minimum power threshold. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). For example, Mr. Storms developed software that uses at least one power consumption target that is greater than a minimum power threshold when the price of power from the power grid is below a threshold price during the time interval associated with the minimum power threshold. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that provided instructions to the set of computing systems to perform one or more computational operations based multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at

	different capacities, including at targets greater than minimum thresholds). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
6. The system of claim 1, wherein the control system is further configured to:	
receive subsequent power option data based, at least in part, on the power option agreement, wherein the subsequent power option data specify to decrease one or more minimum power thresholds of the set of minimum power thresholds.	Austin Storms conceived of and developed technology that includes a control system configured to receive subsequent power option data based, at least in part, on the power option agreement, wherein the subsequent power option data specify to decrease one or more minimum power thresholds of the set of minimum power thresholds. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that works under the framework of a power options agreement, which necessarily includes subsequent power option data based, at least in part, on the power option agreement, that can decrease one or more minimum power thresholds. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that provided instructions to the set of computing systems to perform one or more computational operations based multiple time intervals, including the day-

	ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities) . As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
7. The system of claim 6, wherein the control system is further configured to:	
responsive to receiving the subsequent power option data, modify the performance strategy for the set of computing systems based on a combination of at least the portion of the subsequent power option data and at least one condition in the set of conditions, wherein the modified performance strategy comprises one or more reduced power consumption targets for the set of computing systems.	Austin Storms conceived of and developed technology that includes a control system that is configured to responsive to receiving the subsequent power option data, modify the performance strategy for the set of computing systems based on a combination of at least the portion of the subsequent power option data and at least one condition in the set of conditions, wherein the modified performance strategy comprises one or more reduced power consumption targets for the set of computing systems, such as instructing a subset of miners to stop mining bitcoin. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006.

	For example, Mr. Storms developed software that provides instructions to the set of computing systems to perform one or more computational operations based on the performance strategy. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that provided instructions to the set of computing systems to perform one or more computational operations based multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities) . As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
8. The system of claim 7, wherein the control system is further configured to:	
provide instructions to the set of computing systems to perform the one or more computational operations based on the modified performance strategy.	Austin Storms conceived of and developed technology that includes a control system configured to provide instructions to the set of computing systems to perform the one or more computational operations based on the modified performance strategy. *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); see also BB00000019-20, 29-34,

	40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that provides instructions to the set of computing systems to perform one or more computational operations based on the performance strategy. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that provided instructions to the set of computing systems to perform one or more computational operations based on multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
9. The system of claim 1, wherein the control system is a remote master control	Austin Storms conceived of and/or developed technology that includes a control system that is a remote master

system positioned remotely from the set of computing systems.	control system positioned remotely from the set of computing systems. For example, in one implementation, a control system was housed in the vestibule area separate from the mining machines. In addition, that system also enabled remote master control of the system via VNC Viewer or SSH tunnel. *See, e.g.*, BB_SC00000002 (showing remote calls to enable/disable individual miners); *see also*, BB_SC00000004-8, 11-40, 42-67.
10. The system of claim 1, wherein the control system is a mobile computing device.	Austin Storms conceived of and/or developed technology that includes a control system that is a mobile computing device, such as a laptop or desktop computer, Raspberry Pi, NVIDIA Jetson Nano, or other mobile computing device. *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); see also BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, and system diagrams).
11. The system of claim 1, wherein the control system is configured to receive the power option data while monitoring the set of conditions.	Austin Storms conceived of and/or developed technology that includes a control system that is configured to receive the power option data while monitoring the set of conditions. For example, Mr. Storms' system continuously monitors at least real-time balancing market rate (RTBM) and day-ahead locational marginal pricing (DA LMP) and periodically determines performance strategies, in accordance with negotiated power purchasing arrangements with authorized entities, for multiple time intervals, including real-time as well as 5-minute and 24-hour look-ahead intervals, each of which included an associated minimum power threshold. *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of

	various interfaces, photos of hardware, and whiteboard notes and logic); *see also* BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). For example, Mr. Storms developed software that is continuously monitoring conditions and power option data. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that provided instructions to the set of computing systems to perform one or more computational operations based multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities) . As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
12. The system of claim 1, wherein the control system is further configured to:	
provide a request to a qualified scheduling entity (QSE) to determine the power option agreement; and	Austin Storms conceived of and/or developed technology that includes a control system that is configured to provide a request to a qualified scheduling entity (QSE) to determine the power option agreement. For example, Mr. Storms system could communicate

	directly with Southwest Power Pool entities to retrieve data, and was designed to receive power in accordance with various power purchasing agreements (such as a fixed-duration power option agreement or the like), with the communication and coordination of a QSE.
receive power option data in response to providing the request to the QSE.	Austin Storms conceived of and/or developed technology that includes a control system that is configured to receive power option data in response to providing the request to the QSE. For example, Mr. Storms' system continuously monitors at least real-time balancing market rate (RTBM) and day-ahead locational marginal pricing (DA LMP) and periodically determines performance strategies, in accordance with negotiated power purchasing arrangements with authorized entities, for multiple time intervals, including real-time as well as 5-minute and 24-hour look-ahead intervals, each of which included an associated minimum power threshold. *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); *see also* BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006.. For example, Mr. Storms developed software that constitutes a control system configured to use multiple time intervals,

	including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-43. These source code files specifically reflect that Mr. Storms developed software that used multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
13. The system of claim 1, wherein the power option data specify: (i) a first minimum power threshold associated with a first time interval in the set of time intervals, and (ii) a second minimum power threshold associated with a second time interval in the set of time intervals, wherein the second time interval is subsequent to the first time interval	Austin Storms conceived of and/or developed technology that includes power option data that specifies: (i) a first minimum power threshold associated with a first time interval in the set of time intervals, and (ii) a second minimum power threshold associated with a second time interval in the set of time intervals, wherein the second time interval is subsequent to the first time interval. For example, Mr. Storms' system periodically determines performance strategies, in accordance with negotiated power purchasing arrangements with authorized entities, for multiple time

	intervals, including real-time as well as 5-minute and 24-hour look-ahead intervals, each of which included an associated minimum power threshold. *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); *see also* BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code); *see, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities at different time intervals). In addition, this arrangement and set of data is dictated by the structure of a power option agreement, using a known, standard data format by which a QSE or other entity would send instructions (e.g. "1.2 MW from 0100-0200, 1.5 MW from 0200-0300, etc"). This aspect also is present in Mr. Storm's system through fine grain load control, described above.
14. The system of claim 13, wherein the control system is configured to:	
determine the performance strategy for the set of computing systems such that the performance strategy comprises: a first power consumption target for the set of computing systems for the first time interval, wherein the first power consumption target is equal to or greater than the first minimum power threshold; and a second power consumption target for the set of computing systems for the second time interval, wherein the second power consumption target is equal to or greater than the second minimum power threshold.	Austin Storms conceived of and/or developed technology that includes a control system that is configured to determine the performance strategy for the set of computing systems such that the performance strategy comprises: a first power consumption target for the set of computing systems for the first time interval, wherein the first power consumption target is equal to or greater than the first minimum power threshold and a second power consumption target for the set of computing systems for the second time interval, wherein the second power consumption target is equal to or greater than the second minimum power threshold. For example, Mr. Storms'

	system continuously monitors at least real-time balancing market rate (RTBM) and day-ahead locational marginal pricing (DA LMP) and periodically determines performance strategies based on power consumption targets, in accordance with negotiated power purchasing arrangements with authorized entities, for multiple time intervals, including real-time as well as 5-minute and 24-hour look-ahead intervals, each of which included an associated minimum power threshold, such that a first *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); *see also* BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that constitutes a control system configured to use multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-

	5, 7-8, 11-40, 42-43. These source code files specifically reflect that Mr. Storms developed software that used multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities at different time intervals). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
15. The system of claim 1, wherein a total duration of the set of time intervals corresponds to a twenty-four hour period.	Austin Storms conceived of and/or developed technology that includes calculations performed such that a total duration of the set of time intervals corresponds to a twenty-four hour period, for example, to correspond to a time interval appropriate for an analysis using the DA LMP. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code).
16. The system of claim 1, wherein the set of conditions monitored by the control system further comprise:	
a price of power from the power grid; and a global mining hash rate and a price for a cryptocurrency; and	Austin Storms conceived of and developed technology that includes a control system that monitors a price of power from the power grid, a global mining hash rate and a price for a cryptocurrency. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related

	spreadsheets/.csv files, system diagrams and source code). For example, Mr. Storms developed software that constitutes a control system configured to monitor a set of conditions including a price of power from the power grid, and a global mining hash rate and a price for a cryptocurrency. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000001-8, 11-40, 42, 45-67. These source code files specifically reflect that Mr. Storms developed software to monitor a set of conditions including the price of bitcoin, bitcoin hashrate, network difficulty, energy pricing and the like. As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
wherein the control system is configured to: determine the performance strategy for the set of computing systems based on a combination of at the portion of the power option data, the price of power from the power grid, the global mining hash rate and the price for the cryptocurrency, wherein the performance strategy specifies for at least a subset of the set of computing systems to perform mining operations for the cryptocurrency when the price of power from the power grid is equal to or less than a revenue obtained by performing the mining operations for the cryptocurrency.	Austin Storms conceived of and/or developed technology that includes a control system configured to determine the performance strategy for the set of computing systems based on a combination of at the portion of the power option data, the price of power from the power grid, the global mining hash rate and the price for the cryptocurrency, wherein the performance strategy specifies for at least a subset of the set of computing systems to perform mining operations for the cryptocurrency when the price of power from the power grid is equal to or less than a revenue obtained by performing the mining operations for the cryptocurrency. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code).

	For example, Mr. Storms developed software that determines a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that determines a performance strategy for multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically (i.e. every five minutes) determining performance strategies (such as strategies to mine Bitcoin and/or at what capacity, strategies to not mine Bitcoin, strategies to sell power to the grid, and the like), and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019. The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. In addition, this arrangement and set of data is dictated by the structure of a power option agreement.
17. A method comprising:	

monitoring, by a computing system, a set of conditions;	Austin Storms conceived of and developed technology that includes a control system configured to monitor a set of conditions including at least real-time balancing market rate (RTBM) and day-ahead locational marginal pricing (DA LMP). *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); see also BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). For example, Mr. Storms developed software that constitutes a control system configured to monitor a set of conditions. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000001-8, 11-40, 42, 45-67. These source code files specifically reflect that Mr. Storms developed software to monitor a set of conditions including the price of bitcoin, bitcoin hashrate, network difficulty, energy pricing and the like. As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
receiving, at the computing system, power option data based, at least in part, on a power option agreement, wherein the power option data specify: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals;	Austin Storms conceived of and developed technology that includes receiving power option data based, at least in part, on a power option agreement, wherein the power option data specifies: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals. For example, Mr. Storms' system used multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals,

	each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); see also BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that constitutes a control system configured to use multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-43. These source code files specifically reflect that Mr. Storms developed software that used multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute

	intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019. In addition, this arrangement and set of data is dictated by the structure of a power option agreement, using a known, standard data format by which a QSE or other entity would send instructions (e.g. "1.2 MW from 0100-0200, 1.5 MW from 0200-0300, etc"). This aspect also is present in Mr. Storm's system via its fine grain load control aspects, described above.
responsive to receiving the power option data, determining a performance strategy for a set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval; and	Austin Storms conceived of and developed technology that determines, responsive to receiving the power option data, a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval. For example, Mr. Storms' system used multiple time intervals, including real-time as well as 5-minute and hourly, 24-hour day-ahead intervals, each of which included an associated minimum power threshold used in periodically determining

	performance strategies in negotiating power purchasing arrangements with authorized entities. *See, e.g.,* BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.,* BB00000006. For example, Mr. Storms developed software that determines a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that determines a performance strategy for multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically (i.e. every five minutes) determining performance strategies (such as strategies to mine Bitcoin and/or at what capacity, strategies to not mine Bitcoin, strategies to sell power to the grid, and the like), and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities). As

	reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
providing instructions to the set of computing systems to perform one or more computational operations based on the performance strategy.	Austin Storms conceived of and developed technology that includes providing instructions to the set of computing systems to perform one or more computational operations based on the performance strategy, such as instructing miners to mine bitcoin, instructing the miners to stop mining bitcoin, effecting a sale or other release of the energy to the grid, or other. *See, e.g.*, BB00000001-38, 40-97 (showing computing systems through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic).). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that provides instructions to the set of computing systems to perform one or more computational operations based on the performance strategy. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that provided instructions to the set of computing systems to perform one or more computational operations based multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance

	strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities) . As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
18. The method of claim 17, wherein determining the performance strategy for the set of computing systems comprises:	
identifying information about the set of computing systems; and	Austin Storms conceived of and/or developed technology that includes a method including identifying information about the set of computing systems. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions and information about the set of computer systems through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that constitutes a control system configured to use multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). Examples of this source code include the source

	code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-43. These source code files specifically reflect that Mr. Storms developed software that used multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
determining the performance strategy to further comprise instructions for at least a subset of the set of computing systems to operate at an increased frequency based on a combination of at least the portion of the power option data and the information about the set of computing systems.	Austin Storms conceived of and/or developed technology that includes a method including determining the performance strategy to further comprise instructions for at least a subset of the set of computing systems to operate at an increased frequency based on a combination of at least the portion of the power option data and the information about the set of computing systems. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code); *see also* BB00000001-38, 40-97 (showing computing systems through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power

	distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that determines a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that determines a performance strategy for multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically (i.e. every five minutes) determining performance strategies (such as strategies to mine Bitcoin and/or at what capacity, strategies to not mine Bitcoin, strategies to sell power to the grid, and the like), and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
19. The method of claim 17, further comprising:	
receiving subsequent power option data based, at least in part, on the power option agreement, wherein the subsequent power option data specify to decrease one or more minimum power thresholds of the set of minimum power thresholds;	Austin Storms conceived of and/or developed technology that includes a method including receiving subsequent power option data based, at least in part, on the power option agreement, wherein the subsequent power option data specify to decrease one or more minimum power

	thresholds of the set of minimum power thresholds. *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and 73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); see also BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). In addition, this arrangement and set of data is dictated by the structure of a power option agreement, using a known, standard data format by which a QSE or other entity would send instructions (e.g. "1.2 MW from 0100-0200, 1.5 MW from 0200-0300, etc"). This aspect also is present in Mr. Storm's system via its fine grain load control aspects, described above.
responsive to receiving the subsequent power option data, modifying the performance strategy for the set of computing systems based on a combination of at least the portion of the subsequent power option data and at least one condition in the set of conditions, wherein the modified performance strategy comprises one or more reduced power consumption targets for the set of computing systems; and providing instructions to the set of computing systems to perform the one or more computational operations based on the modified performance strategy.	Austin Storms conceived of and/or developed technology that includes a method including, responsive to receiving the subsequent power option data, modifying the performance strategy for the set of computing systems based on a combination of at least the portion of the subsequent power option data and at least one condition in the set of conditions, wherein the modified performance strategy comprises one or more reduced power consumption targets for the set of computing systems; and providing instructions to the set of computing systems to perform the one or more computational operations based on the modified performance strategy. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to

	represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that determines a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that determines a performance strategy for multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically (i.e. every five minutes) determining performance strategies (such as strategies to mine Bitcoin and/or at what capacity, strategies to not mine Bitcoin, strategies to sell power to the grid, and the like), and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
20. A non-transitory computer readable medium having stored therein instructions executable by one or more processors to cause a computing system to perform functions comprising:	
monitoring a set of conditions;	Austin Storms conceived of and developed technology that includes a control system configured to monitor a set

	of conditions including at least real-time balancing market rate (RTBM) and day-ahead locational marginal pricing (DA LMP). *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). For example, Mr. Storms developed software that constitutes a control system configured to monitor a set of conditions. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000001-8, 11-40, 42, 45-67. These source code files specifically reflect that Mr. Storms developed software to monitor a set of conditions including the price of bitcoin, bitcoin hashrate, network difficulty, energy pricing and the like. As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
receiving power option data based, at least in part, on a power option agreement, wherein the power option data specify: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals;	Austin Storms conceived of and developed technology that includes receiving power option data based, at least in part, on a power option agreement, wherein the power option data specifies: (i) a set of minimum power thresholds, and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals. For example, Mr. Storms' system used multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *See, e.g.*, BB0000001-18, 21-28, 35-38, 45, 62 and

	73-81 (showing control system through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic); see also BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that constitutes a control system configured to use multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-43. These source code files specifically reflect that Mr. Storms developed software that used multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple

	power thresholds associated with miners performing at different capacities). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019. In addition, this arrangement and set of data is dictated by the structure of a power option agreement, using a known, standard data format by which a QSE or other entity would send instructions (e.g. "1.2 MW from 0100-0200, 1.5 MW from 0200-0300, etc"). This aspect also is present in Mr. Storm's system via its fine grain load control aspects, described above.
responsive to receiving the power option data, determining a performance strategy for a set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval; and	Austin Storms conceived of and developed technology that determines, responsive to receiving the power option data, a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval. For example, Mr. Storms' system used multiple time intervals, including real-time as well as 5-minute and hourly, 24-hour day-ahead intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies in negotiating power purchasing arrangements with authorized entities. *See, e.g.*, BB00000019-20, 29-34, 40-44, 46-61 and 63-72 (showing monitored conditions through mining profitability and related spreadsheets/.csv files, system diagrams and source code). The systems also provided for fine grain load control (*i.e.*

	dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.,* BB00000006. For example, Mr. Storms developed software that determines a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-5, 7-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that determines a performance strategy for multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically (i.e. every five minutes) determining performance strategies (such as strategies to mine Bitcoin and/or at what capacity, strategies to not mine Bitcoin, strategies to sell power to the grid, and the like), and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities). As reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.
providing instructions to the set of computing systems to perform one or more computational operations based on the performance strategy.	Austin Storms conceived of and developed technology that includes providing instructions to the set of computing systems to perform one or

	more computational operations based on the performance strategy, such as instructing miners to mine bitcoin, instructing the miners to stop mining bitcoin, effecting a sale or other release of the energy to the grid, or other. *See, e.g.*, BB00000001-38, 40-97 (showing computing systems through screenshots of various interfaces, photos of hardware, and whiteboard notes and logic). The systems also provided for fine grain load control (*i.e.* dynamically reducing load on demand) using proprietarily developed switching power distribution units configured to represent the physical power distribution unit and relay to which the miner IP address. *See, e.g.*, BB00000006. For example, Mr. Storms developed software that provides instructions to the set of computing systems to perform one or more computational operations based on the performance strategy. Examples of this source code include the source code files available for inspection bearing production numbers BB_SC00000002, 4-8, 11-40, 42-67. These source code files specifically reflect that Mr. Storms developed software that provided instructions to the set of computing systems to perform one or more computational operations based multiple time intervals, including the day-ahead hourly intervals and real-time 5-minute intervals, each of which included an associated minimum power threshold used in periodically determining performance strategies (i.e. every five minutes) and negotiating power purchasing arrangements with authorized entities (such as a fixed-duration power option agreement or the like). *Id.*; s*ee, e.g.*, BB_SC00000043 (showing multiple power thresholds associated with miners performing at different capacities) . As

	reflected in the metadata of the source code, Mr. Storms developed this software no later than April 29, 2019.

Interrogatory No. 4:

For each claim of the '632 Application, state with particularity each aspect of the BearBox Technology that does not fall within the scope of the '632 Application disclosure and describe with particularity why it does not, including but not limited to, those aspects denied in your Answer to Defendant's Counterclaims at, e.g., paragraphs 61-72 and 76-82.

ANSWER:

Plaintiffs incorporate their General Objection related to Defendants' definition of BearBox Technology, which is incorrect. Plaintiffs object to Interrogatory No. 4 as vague and ambiguous, at least with respect to the phrases "for each claim," "with particularity," and "any documents." Plaintiffs further object to Interrogatory No. 4 as overbroad, to the extent it asks for information regarding technology developed by the Plaintiffs that is not subject matter claimed in the '433 Patent. Plaintiffs further object that paragraphs 61-72 and 76-82 do not allege any particular scope of any claim of the '632 Application and, on that basis, Plaintiffs do not understand Interrogatory No. 4 and therefore cannot respond to it.

Subject to these objections and their General Objections, Plaintiffs respond that its Answer to Defendants' Counterclaims deny specifically the subject matter that is not disclosed in the '632 Application. For example, in paragraph 62, Plaintiffs state that "the '632 Application [does not use] the term 'energy efficient' or 'cryptocurrency mining systems.'" Generally, the '632 Application fails to disclose that which was cited by the United States Patent & Trademark Office in the January 27, 2020 Notice of Allowance of claims 1-20 of the '433 Patent, in particular the "examiner's statement of reasons for allowance" of those claims, including at least a failure to disclose a system for receiving power option data based, at least in part, on a power option agreement, wherein the power option data specify: (i) a set of minimum power thresholds

and (ii) a set of time intervals, wherein each minimum power threshold in the set of minimum power thresholds is associated with a time interval in the set of time intervals; a failure to disclose a system, responsive to receiving the power option data, for determining a performance strategy for the set of computing systems based on a combination of at least a portion of the power option data and at least one condition in the set of conditions, wherein the performance strategy comprises a power consumption target for the set of computing systems for each time interval in the set of time intervals, wherein each power consumption target is equal to or greater than the minimum power threshold associated with each time interval; and a failure to disclose providing instructions to the set of computing systems to perform one or more computation operations based on the performance strategy.

Interrogatory No. 5:

Describe with particularity all aspects of the BearBox Technology that have been deployed in use by Plaintiffs or by others with Plaintiffs' permission, including in your response the dates of use of each aspect and the party using the particular aspect.

ANSWER:

Plaintiffs incorporate their General Objection related to Defendants' definition of BearBox Technology, which is incorrect. Plaintiffs object to Interrogatory No. 5 as vague and ambiguous, at least with respect to the phrases "all aspects," and "with particularity." Plaintiffs further object to Interrogatory No. 5 as overbroad, to the extent it asks for information regarding technology developed by the Plaintiffs that is not subject matter claimed in the '433 Patent.

Subject to these objections and their General Objections, Plaintiffs respond that Mr. Storms built a system that practiced the inventions as claimed in one or more claims of the '433 patent, based on his conception of the inventions as claimed in the '433 patent, and that system was operational on or about April 21, 2019, and was used only by BearBox and Mr. Storms. Plaintiffs further respond that Plaintiffs built no other systems practicing the inventions claimed

in the ’433 patent, nor did Plaintiffs, at any time, give permission to any other party to build or use any system practicing the inventions as claimed in the ’433 patent.

SUPPLEMENTAL ANSWER:

Subject to the foregoing, Plaintiffs further respond that the system deployed by Mr. Austin Storms on or about April 21, 2019 practiced the inventions as described in claims 1-20 of the ’433 patent, and further include features not claimed in the ’433 patent, but described in the ’433 patent, such as (1) the use of a behind-the-meter (BTM) power generation source(s), (2) the use of various power purchasing mechanism(s), including various types of power purchasing mechanism(s) offered by ERCOT, MISO, SPP, and/or other ISOs, (3) the use of periodic or updated data relating to power prices, power usage, cryptocurrency information (including current exchange pricing, hash rate, network difficulty, and the like), (4) modifying power usage based on monitored data and power prices, (5) monitoring conditions such as (i) a price of power from a power grid, (ii) a plurality of parameters associated with a set of computational operations to be performed at the set of computing systems, and (iii) a plurality of parameters associated with the set of computing systems, (6) applying various weights to data in determining a mining strategy, which were later claimed in U.S. Patent Nos. 11,016,458 and/or 11,031,783. Plaintiffs further respond that the system deployed by Mr. Austin Storms includes features not known by Plaintiffs to be claimed in a Lancium patent, or patent application, including the use of various power purchasing arrangement(s) not described or claimed in the ’433, ’458 or ’783 Patents, including various types of power purchasing arrangements offered by ERCOT and/or other power supply entities.

Interrogatory No. 6:

Identify when and in what manner Plaintiffs learned of each of Defendants’ Patents.

ANSWER:

Plaintiffs object to Interrogatory No. 6 to the extent it calls for information protected by the attorney-client privilege or work-product doctrine. Plaintiffs object to Interrogatory No. 6 as overbroad, at least with respect to the phrases "in what manner." Plaintiffs further object to Interrogatory No. 6 as overbroad, and seeking irrelevant information regarding "each of Defendants' Patents."

Subject to these objections and their General Objections, Plaintiffs respond that Mr. Austin Storms first learned of the '433 Patent on August 17, 2020 by reading a press release dated August 14, 2020 issued by Lancium regarding its lawsuit against Layer1 pending in the District Court for the Western District of Texas. Plaintiffs had not learned of any other of Defendants' patents prior to this lawsuit.

Interrogatory No. 7:

Identify when and in what manner Plaintiffs learned of Lancium LLC's PCT Patent Application, Publication No. WO2019139632A1.

ANSWER:

Plaintiffs object to Interrogatory No. 7 to the extent it calls for information protected by the attorney-client privilege or work-product doctrine. Plaintiffs object to Interrogatory No. 7 as overbroad, at least with respect to the phrases "in what manner." Subject to these objections and their General Objections, Plaintiffs respond that they learned of the '632 Application through Defendants' first Answer and Counterclaims, filed May 3, 2021.

Interrogatory No. 8:

Describe with particularity why Plaintiffs did not file suit against Defendants when Plaintiffs first learned of the '433 patent, including in your response the identity of any person or entity providing information related to that decision and the information provided.

ANSWER:

Plaintiffs object to Interrogatory No. 8 as vague and ambiguous, at least with respect to

the phrases "with particularity," "any person or entity," and "that decision." Plaintiffs further object to Interrogatory No. 8 to the extent is seeks information protected by the attorney-client privilege and/or work product doctrine.

Subject to these objections and their General Objections, Plaintiffs respond that they did file suit after learning of the '433 Patent, after a reasonable amount of time to analyze the patent, disclose information to Layer1 counsel regarding Plaintiffs inventorship rights, and upon learning by press release dated March 8, 2021 that the lawsuit filed by Lancium against Layer1 was settled, without correcting inventorship or otherwise resolving the rights of Mr. Austin Storms related to the '433 patent. Mr. Austin Storms took a reasonable amount of time after the March 8, 2021 press release to explore Plaintiffs' rights, retain counsel, and prepare and file this lawsuit on April 14, 2021, about five weeks later.

Interrogatory No. 9:

Describe with particularity the relationship between Plaintiffs and Great American Mining.

ANSWER:

Plaintiffs object to Interrogatory No. 9 as vague and ambiguous, at least with respect to the phrases "with particularity," and "the relationship." Plaintiffs further object to Interrogatory No. 8 to the extent is seeks information protected by the attorney-client privilege and/or work product doctrine.

Subject to these objections and their General Objections, Plaintiffs respond that Austin Storms was not employed by or otherwise involved with Great American Mining prior to or during his conception or reduction to practice of the BearBox Technology including the subject matter claimed in the '433 patent, and Great American Mining has no ownership rights to the technology developed by Plaintiffs at issue in this lawsuit.

SUPPLEMENTAL ANSWER:

Mr. Storms was not affiliated in any way with Great American Mining when he conceived of and/or first reduced to practice the BearBox Technology including the subject matter claimed in the '433 patent. Nor was Mr. Storms affiliated in any way with Great American Mining at the time of Mr. Storms' disclosures to Lancium by way of Mr. McNamara in May 2019. Mr. Storms became a contract employee for Great American Mining in December 2019, and later became a full-time employee of Great American Mining in October 2020.

ASHBY & GEDDES

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